

# BROOKFIELD WATER POLLUTION CONTROL AUTHORITY

Wednesday, August 26, 2015 Room 133 7:00 p.m.

## APPROVED MINUTES

1. **Convene Meeting:** Chairman Malwitz convened the meeting at 7:00 PM, with the following in attendance:

### WPCA

N. Malwitz, Chairman  
L. Trojanowski-Marconi, Vice Chair  
T.E. Lopez  
I. Agard  
M. Brown, Alternate  
P. Kurtz, Alternate

### Others

R. Prinz, Maintenance Manager  
D. Will, Inspector  
W. Charles Utschig, Langan (Engineer)  
J. Sienkiewicz, Attorney  
S. Welwood, Accountant  
M. Ongaro, WPCA Collector  
E. Cole Prescott, Recording Secretary

2. **Approval of Minutes – 7/28/15 Special Meeting:** T.E. Lopez made a motion to approve the minutes [of the 07/28/15 Special Meeting] as presented. I. Agard seconded the motion, and it carried, with I. Agard, T.E. Lopez, P. Kurtz and Chairman Malwitz voting.

**7/29/15 Special Meeting – L. Trojanowski-Marconi made a motion to table the minutes until the next meeting. P. Kurtz seconded the motion, and it carried unanimously.**

3. **Correspondence:** Letter from Imagineers dated 08/25/15 Re: High Meadow Project – Chairman Malwitz reviewed the letter received regarding the High Meadow Project. *This project was further discussed during the Maintenance Manager's Report.*

4. **Old Business**

- a. 101-103-105 Laurel Hill Road – Request for Sewer Extension, Request for Community System Approval – W. Utschig indicated that he has not received an update from the applicant, and no one was present for discussion of this matter. **L. Trojanowski-Marconi made a motion to table agenda item 4.a. T.E. Lopez seconded the motion, and it carried unanimously.**

5. **New Business**

- a. 7 Del Mar Drive – Target Flavors Application to Connect – *Nancy Levesque of CCA Engineering, 40 Old New Milford Rd, Brookfield, CT was present to discuss the application.* The Authority briefly discussed the engineering review and legal review fees required for application review: \$500 for legal review, and \$1,000 for engineering review. Ms. Levesque indicated that the purpose of this application is to connect the building to the sewer line. **T.E. Lopez made a motion to accept the application, subject to the payment of \$1500 for engineering review and legal review fees. L. Trojanowski-Marconi seconded the motion, and it carried unanimously.**
- b. 70 Stony Hill Rd. Illegal Sewer Connection – Atty. Sienkiewicz stated that he has spoken to the owner handling the estate: Attorney Doug Lewis. Atty. Sienkiewicz stated that he has reviewed section 7.1 of the original Town's funding agreement for the clean water fund. This section indicates that that the Town would permit sewer connections only in the approved sewer service areas consistent with the plan. A sewer service area was given at the time of the grant application to the applicable properties, but this property had not been added to that area at that time. The approving State agency had indicated that the properties that would be able to connect in the future would be failure-only instances. The area was termed the Whisconier Road Hill Sewer Area, and the document specifies that no property may connect to the sewer extension, other than specific properties, which are indicated by the Authority. Atty. Sienkiewicz stated that he has since indicated to the representative of the estate that the owner should file an application to disconnect from the sewer. It was noted that the owner has requested to be placed on the Authority's next regular meeting agenda. The letter from Atty. Sienkiewicz to Atty. Doug Lewis was also noted for the record.

**6. Accountant Report**

- a. FY15 Unaudited Year End Financials – S. Welwood reported the FY 15 Unaudited Year-End Financials with the Authority. S. Welwood stated that she will continue to complete the cash transfers for the WPCA on a monthly basis, until the Authority hires a new accountant. Chairman Malwitz mentioned that the WPCA should send a letter to Controller Leverage to roll BANs into bonds. The Commission discussed the matter of the future credits against the paid amount on the High Meadow Project. I. Agard stated that at this point in time, for accounting purposes, the WPCA cannot assume that customers will be coming onto the line. According to records, \$705,000 is the amount of potential “credits” to everyone collectively on the line, and could be taken from the future, which is the liability\*. Chairman Malwitz stated, that in practice these credits will not be applied in a measure that is material. Atty. Sienkiewicz asked in 2021 – the year the credits expire – “How this is taken off the balance sheet?” S. Welwood replied that this would be done by a debit to the liability and a credit to expense, most likely under non-operating. The matter is not resolved. How credits are booked will require auditor approval. \* Page 14 of the YE Financials shows the Federal Road Plan has \$946,000 still due in principal and interest. The revenue from customers as of October 1, 2014 is \$757,000, a \$189,000 short fall. That will be more than covered by new properties coming on the system in 2015 or beyond.
- b. Other Financial Matters – *At this time, the Authority discussed the Accountant Search Update.*

**11. Other WPCA Business:**

- b. Accountant Search Update – I. Agard stated that there is an ad in the *Penny Saver*, and there has also been an ad in the *News Times* as of last week. The response date is September 4<sup>th</sup>. Letters to seventeen local accounting firms have also been sent. The WPCA has heard from one interested person, and another person has indicated interest, but has not yet pursued the matter. I. Agard stated that S. Welwood has agreed to assist with the vetting process, assuming that there will be three or four candidates. There is some flexibility to control the costs of the special projects accounting requirements, as 1/3 of the work required by S. Welwood is dedicated to day-to-day accounting operations. S. Welwood indicated that there are approximately 100 hours needed to close the accounts for the fiscal year. On a month-by-month basis, there can be anywhere from 15 to 25 hours as well as issues at month-end that may require additional time. I. Agard indicated that the accountant would be asked to attend the meetings, but would be able to do most of the work off site. I. Agard stated that S. Welwood was instrumental in developing the RFP. S. Welwood stated that she believes the most important matter is to ensure that the accountant is familiar with governmental accounting. S. Welwood stated that this Authority is innovative, and is in need of someone who is willing to change along with the Authority and its innovations. Atty. Sienkiewicz stated that S. Welwood was very valuable to this Authority, and gave a lot of accountability to the WPCA. S. Welwood stated that the new year has not been set up, the monthly has not been done, and the budget has not yet been set up, as these processes are all valuable training opportunities, and should be reviewed with the new accountant.

**7. Inspector’s Activity Report: D. Will presented the Inspector’s Activity Report.**

- Grease/Grit Separator Inspections: There were 12 inspections last month, but there were no grit separator inspections.
- Claim to Edith at Eversource: This event has occurred over a year ago, and D. Will is still waiting to hear back from Eversource.
- Longo and Associates is complete on both projects. The contractors had done a terrific job.
- 40-64 Laurel Hill Road: Building Three has been connected and is running, but the WPCA is waiting on completion and issuance of a CO for Building One and Two, before a permit to discharge is issued and unit charges billed.
- Barnbeck (398 Federal Road): The North building is ready for sewer use, awaiting for issuance of a Certificate of Occupancy. D. Will reported that the South building is far from completion.
- Kenosia Construction (57 Laurel Hill Road): Kenosia has been steadily working on the installation of proposed sewer system for the new condominiums across the street from 40-64 Laurel Hill Road.
- D. Will continues to fill in as needed on the High Meadow Project.

- Surveys: There were approximately fourteen surveys done this month, and the WPCA is current with the schedule.
- Field Service: Sandy Lane Easement – D. Will reported that he has no new information on this item.

**8. Maintenance Manager's Report:** R. Prinz presented the Maintenance Manager's Report.

- Rollingwood Sewer Extension: No action
- Laurel Hill North Extension: No action
- Brooks Quarry Sewer: No Action
- High Meadow Sewer Extension: R. Prinz indicated only 4-6 Arbor Drive now have to be connected. He is hoping that 4-6 Arbor Drive may be completed via a gravity connection. The time and material is estimated at \$20,000-\$30,000.
- Outstanding issues on the High Meadow Project: The paving is in progress per contract specifications; there are now multiple punch list items. Restoration of some areas is rough and little grass is growing. R. Prinz indicated the letter to the WPCA received from Imagineers, and he stated that there is 10% retainage for the hydro seeding.
- Federal Road Sewer Improvements: This project will be out for bids shortly.
- 777 Federal Road Pump Station: Bridge crossing force main repair, north pump station, railroad station upgrade: These projects will be out for bids shortly.
- GIS Project: Field data-gathering has been completed for this year.
- Monitoring System: Awaiting delivery of portable flow meter
- Inactive Projects: Commerce Road Pump Station: R. Prinz reported that this project is complete, and releases are needed; a new Flyght pump has been ordered and paid for. Caldor Generator Replacement has been completed, and now this project also needs release. R. Prinz noted that the generator handles all loads without strain. R. Prinz indicated that the WPCA has the releases for the project, and W. Utschig reported that these are standard releases, much like lien releases. **P. Kurtz made a motion that when Longo Construction provides proper lien releases and subcontractor releases for Commerce Drive and Caldor Generator Replacement, that the Chairman is authorize to release the final five percent. T. E. Lopez seconded the motion, and it carried unanimously.**
- WPCA Facilities Plan: Langan Engineering has been assigned to the project.
- Claim against Eversource for brown out at Stony Hill Road: This matter is still open.
- Motor for Route 133 muffin monster is out for repair. The building grinder is being serviced in house.
- Flows are normal. I. Agard stated that the flow to Danbury is only one percent higher from last year to this year. The economy has not gone up, and Chairman Malwitz indicated that the flow numbers are very good economic indicators.

**9. Engineer Comments/Project Update**

- a. High Meadow/Ledgewood/Newbury Crossing Project Update – W. Utschig indicated that the preference is to keep the line of communication between the condo associations and R. Prinz. T.E. Lopez stated that the discussion, he believes, was that the High Meadow Association was willing to pay additional funds toward the completion of the paving. R. Prinz stated that Newbury Crossing Association had discussed completion of paving with the WPCA, but that association has since indicated that they do not wish to pursue this matter. Chairman Malwitz indicated that it is a bit late in the project to discuss this requested addition to the project. Atty. Sienkiewicz stated that if the associations wish to have the paving complete, the association should make the request with the WPCA, submit the appropriate change order, and the matter would be handled from there. W. Utschig stated that at this point in the project, it is most likely too late to add another item. R. Prinz stated that it would be best to have the repair done, then to have another contractor put a thin overlay on the road. W. Utschig stated that to keep things moving, R. Prinz is doing walk-throughs on a consistent basis.
- b. Capital Project: Route 7 Overpass, 777 Federal Road PS Upgrade, North PS Upgrade & Railroad PS Upgrade – Mr. Utschig stated that he has dropped off sets of plans for the WPCA.

- E. Cole Prescott mentioned K. McPadden's note that the bid legal will be in the *Danbury News Times* on 08/27/15 and the documents will be available the same day for purchase.
- c. GIS Sewer Modeling – The GIS project was originally focused on areas where there was no information available in the system, and some of the information has been collected and combined into the original data. Report of findings will be available in September, and the GIS specialists would like to make a presentation about the GIS potential, which would be a 15 minute to 30 minute presentation. He will have more information next month on this item. Langan is also hosting a brown bag presentation at his office, and Commission members will be informed of the date.
  - d. Clean Water Funds Application – Langan is working on this application.
  - e. Brooks Quarry Update – W. Utschig indicated that when authorization is complete, these documents can be completed. Chairman Malwitz mentioned that the money has been approved for the Brookfield Housing Authority relative to their grant application, and the WPCA's work will really be with the Brookfield Housing Authority, and not with the State. Atty. Sienkiewicz asked if there should be an agreement between the Housing Authority and the WPCA. Upon inquiry from I. Agard regarding the cost of engineering, W. Utschig indicated that approximately \$15,000 has been spent to date, and another \$5,000-\$8,000 for completion of the construction drawings will be needed.
  - f. Water Pollution Facilities Plan Update – W. Utschig stated that Langan is attempting to compile previous files for this plan update.
  - g. Other Engineering Matters – *There were no additional items at this time.*

## 10. Legal Matters

- a. Other legal matters –  
High Meadow Project: Atty. Sienkiewicz stated that a few years ago early in the planning stages of the project, M. Finan had drafted preliminary cost estimates of the value of replacement of the sewer systems at the three condominium developments included in this project (High Meadow, Ledgewood, Newbury Crossing). When the public hearing had been held, the cost estimates were determined to be too low. Atty. Sienkiewicz stated that he has two questions: Is the breakdown of the pump station costs according to the estimate correct, and should the laterals be included in the calculations? Chairman Malwitz and Atty. Sienkiewicz briefly reviewed the purpose of the permanent maintenance agreements. Currently, the individual associations save the money in an account for which account the associations submit annual balance sheets to the WPCA.

Sandy Lane Easement Acquisition: Atty. Sienkiewicz stated that the association has requested \$29,000 for the easement, which would bring the total easement cost for the proposed project to \$41,506. Spruce trees were discussed, and a landscaping plan would also be completed for the association. Atty. Sienkiewicz asked if the Authority would like to proceed with the \$29,000 approximate amount. Chairman Malwitz indicated that the Authority would have to return to the Rollingwood Condominiums' association to discuss this price. Atty. Sienkiewicz recommends that he responds to the email, with the number and tentative agreement, with expectations to move forward in the Spring with further details. There will also be additional money required for landscaping. W. Utschig and Atty. Sienkiewicz will compile proposed cost estimates for the project. A previous proposal from Jodi Chase was also mentioned, for reference when compiling a budget proposal. The only item which has been completed to date for this project is a "desktop analysis" to determine feasibility of the proposal.

## 11. Other WPCA Business

- a. Use Charge Study Sub-Committee Update – I. Agard reported that the Committee met with the consultants – Tighe & Bond – for the second time, and the information has since been updated. There is some information on different sized bedrooms and how much water is being used for the differently sized bedrooms, as well as information regarding use rates for commercial properties. Chairman Malwitz had asked the Committee to put together a plan to move forward. Chairman Malwitz stated that what was interesting is that Brookfield is the only Town with

water and use data available by the number of bedrooms. Chairman Malwitz indicated the future possibility of having one rate for one-bedroom units and another rate for two-bedroom units. I. Agard stated that he thinks the WPCA now has enough data to move forward with this study.

- b. Accountant Search Update – *This item was discussed above, after the Accountant Report.*
- c. Workers Comp Injury Care & Management Procedures – R. Prinz stated that the WPCA does not have a policy regarding workers' compensation injury care, and no one in the HR Office was able to inform the WPCA of the process to report work-related injuries. R. Prinz and K. McPadden have worked together to draft a procedure for work-related injuries. R. Prinz mentioned the possibility of including a policy regarding work-related injuries as an addendum to the WPCA's Employee Handbook. R. Prinz stated that the WPCA pays the Town of Brookfield a fee to be part of workers' compensation insurance coverage.
- d. Other WPCA Business – *There was no additional business at this time.*

- 12. **Vouchers**: The Authority reviewed the vouchers. **L. Trojanowski-Marconi made a motion to approve the vouchers. M. Brown seconded the motion, and it carried unanimously.**
- 13. **Adjournment**: **At 10:09 PM, L. Trojanowski-Marconi made a motion to adjourn the meeting. I. Agard seconded the motion, and it carried unanimously.**

\*\*\* Next meeting September 16, 2015 \*\*\*